



SPRFMO Observer Programme Accreditation Assessment



Final Assessment Report Australia

November 2020



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Introduction

The South Pacific Regional Fisheries Management Organisation (SPRFMO) is an inter-governmental organisation responsible for the long-term conservation and sustainable use of the fishery resources of the South Pacific Ocean and in so doing, safeguarding the marine ecosystems in which the resources occur. The SPRFMO Convention applies to the high seas of the South Pacific, covering about a fourth of the Earth's high seas areas.

Currently, the main commercial resources fished in the SPRFMO Convention Area are jack mackerel and jumbo flying squid in the Southeast Pacific and, to a much lesser degree, deep-sea species often associated with seamounts in the Southwest Pacific.

The Organisation consists of a Commission and a number of subsidiary bodies. The Commission currently has 15 Members (Australia, the Republic of Chile, People's Republic of China, the Cook Islands, the Republic of Cuba, the Republic of Ecuador, the European Union, the Kingdom of Denmark in respect of the Faroe Islands, the Republic of Korea, Australia, the Republic of Peru, the Russian Federation, Chinese Taipei, The United States of America and the Republic of Vanuatu). The Commission also has three Cooperating non-Contracting Parties (Curaçao, Republic of Liberia and Republic of Panama).

From 1st January 2024, SPRFMO Members and CNCPs shall only deploy observers from national observer programmes or service providers accredited under the SPRFMO Observer Programme. Observer programmes may be accredited under the SPRFMO Observer Programme for a maximum of 5 years before undergoing re-evaluation. This document, consistent with the process outlined in CMM 16-2019 (SPRFMO Observer Programme), provides the basis for the accreditation process and the collection of information required for that process.

This report is the final assessment report for Australia.

Accreditation Process

The accreditation process for Australia progressed as follows:

Proposed Date	Actions	Actual Date
Annual Commission Meeting	Members, CNCP or service provider provides notification of intention to be assessed.	14/02/2020
Within 30 days of Annual Commission Meeting	Assessor (MRAG Ltd) contacts each Member, CNCP or service provider and agrees a timetable for the assessment process (Starting at time T) and shares assessment guidelines.	03/08/2020
T + 0 days (Start of process)	Assessment process to begin with Member, CNCP or service provider.	29/08/2020
T + 14 days	Member, CNCP or service provider provides all required documentation to assessor, in country visits or online meetings take place to discuss information provided by Member, CNCP or service provider. Assessor may request additional documentation if substantive or essential information is missing	Various dates for confirmation until 04/11/2020
T + 28 days	Assessor receives additional documentation requested during assessment process and collates all materials	Various dates for confirmation until 04/11/2020
At least 100 days before Annual Commission Meeting	Assessor reviews all material and completes its preliminary evaluation. Following this Members, CNCPs and service providers will be offered 30 days for Bilateral consultations to ensure that they have an opportunity to provide additional information and corrections relevant to their evaluation	11/11/2020
60 days before Annual Commission Meeting	Assessor provides all Final Evaluation Reports including recommended conditions and incorporating feedback received on the preliminary evaluation.	26/11/2020
Annual Commission Meeting	The Commission evaluates all reports and recommendations and will decide whether to grant accreditation (including specified conditions).	23/01/2021

Summary of Evidence submitted

The table below summaries the documents provided by Australia that contain the evidence of conformance with the SPRFMO assessment requirements. The relevant sections of these documents should then be referenced within the main evaluation tables 1-13.

Table 1 Summary of documents submitted

#	Document Title	Please indicate which for which standards this document is used as evidence												
		1	2	3	4	5	6	7	8	9	10	11	12	13
1	Observer Program Manager Declaration	x												
2	Observer Contract extension - redacted	x	x											
3	Letter of Offer – redacted	x	x											
4	Declaration of Interests Form	x												
5	Declaration of Gifts and Benefits	x												
6	AFMA Conduct and Ethics Policy	x					x		x		x	x		
7	APS Values and Code of Conduct in Practice	x							x		x			
8	Observer Trip Debrief Template	x				x			x					
9	Observer Certificate Register		x	x	x									
10	AFMA Sea Safety Policy		x	x										
11	Pollution Report/MARPOL Form			x										
12	Vessel Activity Log						x							
13	Vessel Details Form						x							
14	Vessel Voyage Summary Form						x							
15	Wildlife Interaction Report Template						x							
16	Wildlife Abundance Form						x							
17	Wildlife Interaction Data Form						x							
18	Length Frequency Data Form						x							
19	Biological Data Form						x							
20	Catch composition data form						x							
21	Observer Safety Assessment report template						x						x	

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#	Document Title	Please indicate which for which standards this document is used as evidence												
		1	2	3	4	5	6	7	8	9	10	11	12	13
22	Observer data entry feedback form					x	x		x					
23	Purse seine gear form						x							
24	Conversion factor form						x							
25	Purse seine shot details form						x							
26	Observer Manager extract - redacted								x					
27	Trip Expense Workbook example								x					
28	Safety induction checklist									x			x	
29	Observer asset register									x				
30	Observer contact list												x	
31	AFMA Health and Safety Management Arrangements												x	
32	Hazard and Incident report form												x	
33	PGPA Operational Guidance Corporate Governance Policy													x
34	Handling misconduct: a human resource manager's guide	x	x								x			
35	Observer annual performance assessment - redacted					x								
36	Demersal and Midwater Trawl Manual for AFMA Observers 2020	x		x			x			x			x	
37	Observer Gear and Data Collection Manual for AFMA Observers 2020	x		x			x			x			x	
38	Administrative and Procedural Manual for AFMA Observers 2020	x		x			x			x	x		x	
39	Observer Program Manager CV					x								
40	Observer Program Coordinator CV					x								
41	72hr notice concession condition extract								x					
42	Additional Attachment 1 HR PowerPoint Presentation Dec 2019	x												
43	Additional Attachment 2 FW FV Voyager P high seas trip obligations SECUNCLASSIFIED			x										

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#	Document Title	Please indicate which for which standards this document is used as evidence												
		1	2	3	4	5	6	7	8	9	10	11	12	13
44	Additional Attachment 3 AFMA Handling Practices Guide			x										
45	Additional Attachment 4 SUPPLEMENTARY INSTRUCTIONS FOR ISLA EDEN VOYAGE 14			x										
46	Additional Attachment 5 Guidelines for Authorising Transshipping Activities in Commonwealth Fisheries October 2018						x							
47	Additional Attachment 6 AFMA ID Card (Front)							x						
48	Additional Attachment 7 AFMA ID Card (Back)							x						
49	Additional Attachment 8 HIMI Conditions 2019-20 November 2019 FINAL									x				
50	Additional Attachment 9 Screenshot of email re credit card expenditure July 2019									x				
51	Additional Attachment 10 VME Identification Guide - SIOFA and SPRFMO (1)			x			x							
52	Additional Attachment 11 Standard Operating Procedure x - extraction			x										
53	SPRFMO Trawl fishing Activity template 2020						x							
54	Vessel details form						x							
55	Vessel activity log						x							
56	Trawl shot form						x							
57	Trawl gear form						x							
58	Biological form						x							
59	Catch Composition Form						x							
60	Wildlife Interaction Form v1.1						x							
61	Wildlife Abundance form v1.1						x							
62	Trawl BRD Form v1.1						x							
63	Declaration of Gifts and benefits	x												
64	Voyage Summary Form					x								
65	Debrief Template					x								

#	Document Title	Please indicate which for which standards this document is used as evidence												
		1	2	3	4	5	6	7	8	9	10	11	12	13
66	Antarctic Fisheries Manual for AFMA Observers			x										
67	Voyage Trip forms					x								
68	Trip Targets (Empress Pearl)					x								
69	Demersal longline gear form v1.1			x		x								
70	Longline shot mitigation form v1.1			x		x								
71	BRD form OB19051			x		x								

Scoring Tables – Interpretation

The scoring tables in the next section of the report provide feedback on the assessment of AUSTRALIA in meeting the required levels to meet the SPRFMO minimum standards. Each table consists of four columns:

Indicator number

Minimum Standard – The definition of the requirement to meet the minimum standard defined.

Pass / Fail – A simple indicator, colour coded green for “Pass”, red for “Fail”.

Comment / Condition / Reason for fail – Any additional comments from the assessment team on the element. These could include details of the condition's, reasons for failing an element, that can be addressed before the final assessment, or for elements that have been passed the team could briefly highlight examples of good practice for other programmes to follow and highlight the particular sections of documents provided these can be found in. Document numbers are referenced in Table 1.

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
X.X	Observer programmes must XXX.	Pass	The requirements set out are clearly demonstrated in section 22 of document 3 and part 4 of document 4.

Executive Summary

Australian observers are supplied through the Australian Fisheries Management Authority (AFMA) an Australian Government agency that is responsible for the efficient management and sustainable use of fish resources on behalf of the Australian community. AFMA supplied all the materials for the assessment and these are based around their national training programme for fisheries observers in general with specific additions and modification for SPRFMO observer deployments as required.

Australia submitted their application for accreditation on 3rd August 2020. There were 71 supporting elements to the application, some applied to more than one of the accreditation criteria.

The assessment team found the materials supplied to be very comprehensive and covered all the elements required for accreditation. It was noted that while there were minor differences between the requirements for data collection under CMM 02-2020, data collected by Australian observers operating in the SPRFMO area were formatted to ensure they would meet the SPRFMO requirements requiring slight data transformations e.g. UTC time recording, but for training and consistency it is easier to record all observer programmes the same and just apply a conversion factor between the recorded time and the required time zone (Nate Meulenburg (AFMA), pers. Comm).

The following sections break down the materials submitted by Australia against the accreditation criteria with brief comments where appropriate.

We believe that the Australian programme meets all the requirements outlined in CMM 16-2019 and the Commission should consider it for accreditation.

1 Impartiality, independence and integrity

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
1.1	National observer programmes and service providers shall only deploy independent and impartial observers. This means that neither the national observer programme or service provider, as the case requires, nor the individual observers, have a direct financial interest, ownership or business links with vessels, processors, agents and retailers involved in the catching, taking, harvesting, transporting, processing or selling of fish or fish products.	Pass	Declaration of Interests Form (4) requires declaration by observer of any conflict of interest, financial (e.g., shares) or other interests held. Shares documented in Annex A of (4). Signed declaration example provided (1). AFMA observers have been shown to be provided with annual training on the interpretation and implementation of the APS Code of Conduct (the driving code for independence and impartiality within Australian fisheries). This training is provided by AFMA's Workplace Group at the annual AFMA Observer Workshop. Details in PowerPoint Presentation. (42)
1.2a	The national programme or service provider, and the individual observers: a) Shall not have a direct financial interest, other than the provision of observer services, in the fisheries under the purview of the Commission, including, but not limited to: i) any ownership, mortgage holder, or other secured interest in a vessel or processor involved in the catching, taking, harvesting or processing of fish; ii) any business selling supplies or services to any vessel or processor in the fishery; iii) any business purchasing raw or processed products from any vessel or processor in the fishery.	Pass	Declaration of Interests Form (4) requires declaration by observer of any conflict of interest, financial (e.g., shares) or other interests held. Shares documented in Annex A of (4). Signed declaration example provided (1).

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
1.2b	Shall not solicit or accept, directly or indirectly, any gratuity, gift, favour, entertainment, inordinate accommodation, loan or anything of monetary value from anyone who either conducts activities that are regulated by a Member or CNCP connected with its services or the Commission, or has interests that may be substantially affected by the performance or non-performance of the observer's official duties;	Pass	<p>Declaration of Gifts and Benefits (5) clearly states "in accordance with AFMA's Conduct and Ethics Policy, AFMA employees must not accept a gift or benefit if it could be perceived by the public, knowing the full facts, as intended or likely to cause individuals to undertake or influence their work in a particular way, or deviate from the proper course of duty.</p> <p>Any gifts or benefits which have a value less than \$50 must be declared to the Senior Manager, People, Capability and Engagement who will make a decision on their acceptance or disposal.</p> <p>Any gifts or benefits which have a value greater than \$50 or where there is an identified issue must be declared to the Chief Executive Officer who will make a decision on their acceptance or disposal."</p>
1.2c	Shall not serve as an observer on any vessel or at any processors owned or operated by a person who previously employed the observer in another capacity within the last three years (e.g., as a crew member)	Pass	<p>Submission states that "...to the knowledge of the current Observer Program Manager no observer that has left the program in the past three years has gone on to own, operate or crew any vessel or processor/s". During interviews the potential observers are asked to disclose interests with regard to fishing vessels (commercial fishing or observer) but does NOT require previous work to be disclosed.</p> <p>Potential observers are asked during the interview process whether they have any direct interests to commercial fishing or observer services to disclose. Potential candidates are also asked if they worked on or been employed by any entity with a commonwealth fishing concession within the past 12 months. AFMA have indicated during the course of the evaluation process that they will adjust the current protocol and AFMA observers will in future complete a declaration of their employment history for the past 3 years and not just 12 months.</p>

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
1.2d	Shall not solicit or accept employment as a crew member or an employee of a vessel or processor while employed by a national observer programme or service provider.	Pass	<p>AFMA's Conduct and Ethic's Policy 7) section 16 (Outside employment) details the rules for employment outside AFMA whilst under contract. This clearly states that while outside employment is possible in certain circumstances, no work for financial gain should be undertaken if it conflicts with the purposes of the Authority, which would include working as a crew member or an employee of a vessel or processor.</p> <p><i>Public Service Act 1999</i>¹ AFMA's Conduct and Ethics Policy. (7) sections 4 (Code of Conduct), 5 (Application of the Code of Conduct), 6 (Personal Behaviour), 7 (Professional Behaviour), 10 (Conflict of Interest) , 11 (Declaration of Shares), 12 (Gifts and Benefits) would impact this in addition to section 16 (Outside Employment).</p>

¹ <https://www.legislation.gov.au/Details/C2019C00057>

2 Observer Qualifications

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
2.1	The national observer programmes or service providers shall demonstrate that observers that are recruited into their programme have relevant education or technical training and/or experience for the fleets concerned; ability to meet the observer duties; no record of convictions calling into question the integrity of the observer or indicating a propensity towards violence; and the ability to obtain necessary documentation, including passports and visas	Pass	<p>Observer engagement is subject to certain conditions including satisfactory checks of citizenship, health and security. Prior to receiving an offer candidate are required to undertake (and pass/be granted) a police check and medical assessment (Pers. Comm. AFMA submission)</p> <p>Observers are contracted on a 3-year basis via an Australian Public Service casual contract - Observer Contract extension – redacted (2).</p> <p>Observers are fully trained by AFMA. Records of this are provided within Observer Certificate Register (9) including Certificate of Safety Training (2-day refresher every five years); Fire Safety; Remote/Marine First Aid; CPR; Medical Clearance and Official Passport.</p>

3 Observer Training

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
3.1	National observer programmes or service providers shall demonstrate that observers are adequately trained before their deployment. Training shall include all the elements outlined in Annex 3 of CMM-16-2019, and that data are being collected in line with the requirements set out in CMM 02-2020	Pass	<p>Training shall include the following:</p> <ol style="list-style-type: none"> 1. The relationship between fisheries science and fisheries management and the importance of data collection in this context; Stated in Administrative and Procedural manual for AMFA Observers (38); Introduction section 'Good fisheries management depends on having the best quality information available. This means collecting and providing information which is relevant, accurate and timely to fisheries managers and researchers' 2. The relevant provisions of the Convention and SPRFMO CMMs relevant to the functions and duties of observers; AFMA observers have access to all SPRFMO CMMs through the AFMA intranet and are required to download/review prior to departure. Pre-departure briefing is conducted via emails and telephone prior to every voyage (e.g. FW FV Voyager P high seas trip obligations) (43). Any additional required training would be conducted during this process (Pers. Comm. Australian submission). 3. Importance of observer programmes, including understanding the duties, rights, authority and responsibilities of observers; Presented in Stated in Administrative and Procedural manual for AMFA Observers (38); Observer Duties Overview 4. Safety at sea, including emergencies at sea, donning survival suits, use of safety equipment, use of radios, survival at sea, management of conflicts, and cold-water survival; Presented in AMFA Sea Safety Policy (10) and 'AFMA requires that observers undertake Certificate of Safety Training (COST) which includes sea survival and fire-fighting competencies' (Pers. Comm. AMFA submission). 5. First aid training, appropriate to working at-sea or in remote situations; Presented in AMFA Sea Safety Policy (10) and 'Observers also need to undertake Marine First Aid certification prior to deployment' (pers. Comm AMFA submission). 6. Species identification and record of species encountered at sea, including target and non-target species, protected species, seabirds, marine mammals, sea turtles, invertebrates indicating vulnerable marine ecosystems, et cetera; Presented in Observer Gear and Data Collection Manual (37). Key species ID guides supplied to observers include: AFMA observers are provided with a raft of resources to assist with species identification. Identification guides that are provided include (but not limited to):

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
			<ul style="list-style-type: none"> • VME ID Guide – SPRFMO and SIOFA Areas (see Attachment VME Identification Guide – SIOFA and SPRFMO - AFMA Observer Program, 2020) (51) • Smith's Sea Fishes (Smith & Heemstra, 1986) • New Zealand Fish – A Complete Guide (Paulin et al, 1989) • Cephalopods of the World (FAO, 2014) • Sharks and Rays of Australia (Last & Stevens, 2009) • Fishes of Australia's Southern Coast (Gomon <i>et al.</i>, 2008). <p>7. Knowledge of the different types and functioning of bycatch mitigation devices required by SPRFMO CMMs; Access to CMMs through AFAM Intranet that are required downloads. Presented in Observer Gear and Data Collection Manual (37); Section Bycatch Reduction Devices (BRs) & Mitigation</p> <p>8. Safe handling protocols to rehabilitate and release seabirds, marine mammals and sea turtles;</p> <p>AFMA handling practices guide for commonly caught bycatch species (44). Details the he main bycatch species groups caught in Commonwealth fisheries; measures to increase observer and crew safety and the correct and incorrect handling methods.</p> <p>9. Fishing vessel and fishing gear types relevant to SPRFMO; Presented in Observer Gear and Data Collection Manual (37).</p> <p>10. Techniques and procedures for estimating catch and species composition; Presented in Observer Gear and Data Collection Manual (37).</p> <p>11. Use and maintenance of sampling equipment including scales, callipers, et cetera; Presented in Observer Gear and Data Collection Manual (37).</p> <p>12. Sampling methodologies at sea, i.e., fish sampling, fish sexing, measuring and weighing techniques, specimen collection and storage, and sampling methodologies; Presented in Observer Gear and Data Collection Manual (37).</p> <p>13. Understand potential biases in sampling, how they arise and how they could be avoided; Presented in Observer Gear and Data Collection Manual (37); Random sampling methodology and Demersal and Midwater Trawl Fisheries Manual (36); Biological data collection.</p> <p>14. Preservation of samples for analysis; Preservation of otolith samples are presented in Observer Gear and Data Collection Manual (37). Conducted on a needs basis. Where required AFMA observers are trained in additional sampling techniques and the preservation of samples according to pre-determined specific research programs requested by external agencies or scientific committees. This training is provided through an annual workshop based environment and additional instructions. For example, in 2018, in sub-Antarctic fisheries, AFMA observers were required to collect</p>

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
			<p>genetic samples of Antarctic toothfish. Face to face training is provided at the annual workshop and instructions were provided in “SUPPLEMENTARY INSTRUCTIONS FOR ISLA EDEN VOYAGE 14” (45).</p> <p>15. Data collection codes and data collection formats; Codes used to standardise data are given in the relevant data collection forms Vessel Activity Log (12); Vessel Details Form (13); Length Frequency Data Form (18); Biological Data Form (19); Catch composition data form (20).</p> <p>16. Familiarity with catch logbooks and recordkeeping requirements to aid observers’ collection of data as required under SPRFMO CMMs; Training provided during pre-deployment training. (Australian written submission). Administrative and Procedural Manual for AFMA Observers 2020 details observers reporting through logbooks and necessitates the observer having a conversation during the voyage with the skipper about any issues and then reporting that back to the administration team post trip if there are any breaches of any CMMs (Australian Submission).</p> <p>17. Use of digital recorders or electronic notebooks; AMFA issues observers with digital video cameras and laptops (Pers. Comm. AMFA submission).</p> <p>18. Electronic equipment used for observer work and understanding their operation; AMFA issues observers with digital video cameras and laptops (Pers. Comm. AMFA submission).</p> <p>19. Use of electronic monitoring systems as a complement to their work, when applicable; Australian submission (Pers. Comm.) notes that training related to electronic monitoring systems is provided informally. A training session specifically on electronic monitoring is planned to be delivered at the December 2020 AFMA Observer Workshop.</p> <p>20. Verbal debriefing and report writing; Observer Trip Debrief Template (8) and Observer data entry feedback form (22) shows evidence of a comprehensive debriefing. Information extracted at debriefing is fed into an annual performance assessment as part of AFMA’s Performance and Development Scheme - Observer annual performance assessment – redacted (35)</p> <p>21. Training on relevant aspects of the International Convention for the Prevention of Pollution from Ships (MARPOL); Presented in Observer Gear and Data Collection Manual (37); Marine pollution section and Pollution form (11).</p>

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#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
3.2	Refresher training should be ongoing dependent on the qualification requirements. Relevant updates to CMMs and observer requirements should be communicated to observers before each deployment as part of the briefing process, for example in an updated manual	Pass	Observers are fully trained by AFMA. Records of this and dates of expiry are provided within Observer Certificate Register (9) including Certificate of Safety; Fire Safety; Remote/Marine First Aid; CPR; Medical Clearance and Official Passport.

4 Observer Trainers

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
4.1	National programmes or service providers shall demonstrate that observer trainers have the appropriate skills and have been authorised by that national programme or service provider to train observers	Pass	<p>It is evident from the training material provided that Safety at Sae, first aid, firefighting and CPR refresher courses are run by external providers that must be accredited by their relevant professional bodies.</p> <p>... 'Internal observer trainers are experienced in observer operations, and typically have a number of years in-field experience which provides them with the ability to utilise that experience to train field observers. Senior observers are also used to train and take new observers on short buddy trips as a method of on the job training' (pers. comm AFMA submission).</p>

5 Briefing and Debriefing

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
5.1	National observer programmes or service providers shall demonstrate that there are systems for briefing and debriefing observers and communicating at any time with vessel captains.	Pass	<p>Observers are required to fulfil an Observer Safety Checklist – Safety Induction Checklist (28) but there is no evidence provided that there are systems in place for briefing observers</p> <p>All AFMA observers are provided with a pre-departure briefing prior to every deployment.</p> <p>Deployment briefings conducted by email and telephone.</p> <p>Specific information relevant to the deployment are outlined clearly, (i.e. SPRFMO requirements for biological sampling requirements). Previous deployment reports for the vessel and other required information are provided either at the observer's request or if it is deemed necessary.</p> <p>Observers have access to all up to date SPRFMO CMMs through the AFMA intranet and are required to download and review these prior to departure.</p> <p>(See FW FV Voyager P high seas trip obligations) (13)</p> <p>Observer Trip Debrief Template (8) and Observer data entry feedback form (22) shows evidence of a comprehensive data collection system for debriefing. Further, Hazard and Incident Form (32) gives evidence that any incidents that occurred during a deployment are recorded and reviewed.</p> <p>Information extracted at debriefing is fed into an annual performance assessment as part of AFMA's Performance and Development Scheme - Observer annual performance assessment – redacted (35)</p> <p>'Communication with vessel captains is not something routinely or typically done while the vessel is at sea, but is possible in some instances through sat phone, email, and occasionally other mechanisms' (Pers. Comm. AFMA submission)</p>

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#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
5.2	The briefing and debriefing process shall be conducted by properly trained personnel and shall ensure that observers and vessel captains clearly understand their respective roles and duties	Pass	Curriculum Vitae provided clearly demonstrate that personnel conducting the debriefing process possess sufficient knowledge and experience in observer management - Observer Program Manager CV (39), Observer Program Coordinator CV (40)

6 Data Validation Process


#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
6.1	National observer programmes or service providers shall demonstrate that they have an observer data validation process in place. The data validation process shall be conducted by properly trained personnel and shall ensure that data and information collected by an observer are checked for discrepancies or inaccuracies that are corrected before the information is entered into a database or used for analysis.	Pass	Data checking and validation process clearly demonstrated by Observer data entry feedback form (22) with indication of who performed the checks (initials) and the date. '...data is checked for discrepancies or inaccuracies by the observer coordinator or a senior observer, with any issues clarified/rectified prior to being entered into databases or used for analysis. It is then provided to the data entry team. Where the data entry team identifies issues (i.e. incorrect format/code) this is able to be rectified prior to entry. AFMA also routinely works with people and organisations that utilise observer data to correct any historical discrepancies identified' (pers. comm. AFMA) Curriculum Vitae provided clearly demonstrate that personnel conducting data checks possess sufficient knowledge and experience in observer management - Observer Program Manager CV (39), Observer Program Coordinator CV (40)
6.2	The data validation process shall ensure that the data meet the standards laid out in Annex 3 of CMM-16-2019		
6.2a	a) A mechanism that allows scientific data to be stored and transferred to the national observer programme (or service provider) in a secure and confidential manner	Pass	Administrative and Procedural Manual for AFMA Observers 2020 (38) section on Data Confidentiality Agreements clearly states that 'All data collected by observers during deployment will be in accordance with the following guidelines: <ul style="list-style-type: none"> • Data obtained will be the property of AFMA and be held as secured and confidential data. The data will be entered and stored in AFMA's Observer database. Individual operators who have had observers on their vessels will have the right to a copy and use of all data collected in relation to their particular operations. • Observer collected data may be used to pursue AFMA's legislative responsibilities. • AFMA may provide observer collected data as required to other Commonwealth agencies involved in the fishery. Any agency using these data will be constrained by AFMA's confidentiality requirements. • Operators who have observers on board remain subject to normal fishery conditions and requirements and are subject to any action arising from offences detected separately from the records, reports or information of observers'
	b) Vessel information uniquely identifies the actual vessel from which the fishing occurred	Pass	Information that uniquely identifies the vessel (e.g., vessel name, registration number, international call sign) is collected within Vessel Details Form (13). 'AFMA's Observer Program uses the term "International Call Sign" in place of "Unique vessel identifier"' (pers. comm. AFMA submission).

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
	c) Dates and times of fishing effort are included and internally consistent (for example an end time should be after a start time)	Pass	Dates and times of fishing effort (Date DD/MM/YY, Time (24hrs) are collected within the Vessel Activity Log (12). Times are recorded as UTC.
	d) Location of fishing is included and valid (for example, logical latitude/longitude combinations), internally consistent and entered in the correct units	Pass	Location of fishing (Latitude / Longitude ddd mm mm) is collected within the Vessel Activity Log (12)
	e) Effort data allows quantification of the amount of effort invested by the vessel, appropriate to the fishing method used, which is also identified	Pass	Vessel Activity Log (12) captures this information and Purse seine gear form (23) shows how data requirements for effort by different gear types are captured. The Observer Gear and Data Collection Manual for AFMA Observers 2020 (37) contains extensive information on gear types.
	f) Catch information identifies the fishery resource (to the species level where possible) and the quantity of that species retained or discarded. If used, species codes are accurate	Pass	Catch composition form (20) allows for information on species caught (ASFIS 3-Alpha codes), fate (retained discarded), process state etc to be captured for catch that is landed all at once and Biological data form (19) for gear types where the catch is landed piece by piece (i.e., gillnet, hook fisheries).
	g) Where biological or length information is collected for a fish, it is directly linked to the effort in which it was caught – including date and time, location, and fishing method information, and includes the methodology of data collection	Pass	Biological data is collected in Biological data form (19) which contains fields that allows for linkages to the effort in which it was caught. Length information is collected in Length frequency data form (18) which contains fields that allows for linkages to the effort in which it was caught. The Observer Gear and Data Collection Manual for AFMA Observers 2020 (37) contains extensive information on biological sampling methodologies.
	h) If the observer programme extends to transshipment and/or landings, then the amount and species of fishery resources transhipped/landed is quantified and recorded according to a standard methodology	Pass (N/A)	Currently, transshipment only happens “in rare circumstances in AFMA managed fisheries and Australian flagged vessels and no AFMA protocol exists for observers to monitor transshipment. AFMA’s Guidelines for Authorising Transshipping Activities in Commonwealth Fisheries “Guidelines for Authorising Transshipping Activities in Commonwealth Fisheries October 2018” (46) states that electronic monitoring and / or observer coverage may be necessary. In the event it is necessary to observe such an event and to ensure compliance with SPRFMO requirements standard protocols will be developed.
	i) Interaction data involving marine mammals, seabirds, reptiles and/or other species of concern identifies the individual species (where possible), the number of animals, fate (retained or released/discarded), life status if released (vigorous, alive, lethargic, dead), and the type of interaction (hook /line entanglement /	Pass	Wildlife Interaction Report Template (15), Wildlife Interaction Data Form (17) and Wildlife Abundance Form (16) together allow for the capture of interaction data involving marine mammals, seabirds, reptiles and/or other species of concern including; species name (scientific name), number of individuals, life status, fate, and type of interaction.

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#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
	warpstrike / net capture / other).		

7 Observer Identification Cards

#	Minimum Standard	Pass / Fail	Evidence Provided
7.1	National observer programmes or service providers shall provide observers with identification cards that include the full name of the observer, date of issue and expiration, the name of the national observer programme or service provider, a unique identifying number (if issued by the national observer programme or service provider) a passport style photo of the observer, an emergency phone number	Pass	<p>'AFMA does not currently provide observers with identification. Identification cards are in the process of being developed, with an anticipated delivery towards the end of 2020' (Pers. Comm. AFMA submission).</p> <p>Old AFMA Observer ID card – front (47) and back (48) are examples of an old / expired AFMA observer identification card.</p>  <p>The new cards that are being developed and issued that will look similar, with updated signature, photograph and card number. The authorising officer's position title will also be updated to Chief Executive Office. AFMA's Legal Services will also be consulted to ensure the correct/most appropriate mechanism under which to authorise the observer (i.e. the Fisheries Management Act 1991, the Fisheries Management Regulations 1992 or other). (Pers. Comm. Australian submission)</p>

8 Coordinating Observer Placements and Observer Deployments

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
8.1	National observer programmes or service providers shall demonstrate responsibility and capacity for the timely deployment of observers and will ensure that the selected observer receives all possible assistance during the entire length of their placements	Pass	<p>Requirements to carry observers for industry are clearly outlined by AFMA at https://www.afma.gov.au/fisheries-services/observer-services</p> <p>Observer coverage in a majority of AFMA is a percentage of effort (some 100%) The observer programme manager usually works with fishery managers to determine, in advance, how many days at sea will be required to meet that percentage, but for SPRFMO this is 100% and each trip will need to be fully covered. The observer coordinator then determines how, when and where to deploy observers to achieve that target in line with temporal and spatial needs.</p> <p>A minimum 72 hour notice period is normally required to inform a vessel they must carry an observer (41). Prior notice from an operator of an intended trip of 21 days is required for Southern Ocean trips (i.e. SPRFMO) deployments giving ample time to organise the deployment and observer.</p> <p>Observers are briefed and debriefed in accordance with requirements (i.e. opportunity to ensure assistance is provided before and after deployment.</p> <p>Observers are issued with Garmin InReach units (examples of issued units present in Observer Assets Report (29) logged with Serial Numbers and observer are required to maintain contact the programme managers / coordinators weekly. Independent two way assistance is therefore avail; able at any time and immediate emergency communication possible 24/7. Submission to the accreditation also notes that the programme “maintains regular contact with the observer after completion of the trip to ensure they are healthy and also to give information on further deployment or projects involving observers”.</p> <p>Full contact details list available for the programme including direct observer duty phone number. (Observer Contact List (30).</p>

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
8.2	National observer programmes or service providers shall have in place a protocol to replace an observer if the observer becomes unable to perform their duties.	Pass	<p>Accreditation submission states that there is no formal protocol in place. Observers are continually on standby should the scheduled observer become unavailable.</p> <p>For a trip with a mandatory observer requirement in the event that the observer needed to be replaced the vessel would be required to return to port to disembark the original observer and to embark a new observer. A period of 72 hours' notice is required to be given to the AFMA Observer Program prior to departure of the subsequent voyage.</p> <p>Sections 41 – 48 of the HIMI Conditions 2019-20 November 2019 Final (49) define the obligations on an operator in the HIMI fishery if an observer suffers an injury, illness, dies, is missing or presumed fallen overboard.</p>
8.3	National observer programmes or service providers shall also seek, to the extent possible, to avoid deploying a single observer on multiple consecutive trips on the same vessel	Pass	<p>Due to the nature of the trips and the size of the observer pool to select from this has not been possible, though records of previous deployments are available to check (Observer Management Spreadsheet (26)).</p> <p>It was noted in the accreditation submission that due to COVID-19 and the restrictions on movement around Australia and globally, AFMA has undertaken a risk assessment of observers being deployed on the same vessel for more than one trip. This risk assessment is primarily about the health and safety of the observer as all other elements of the program, including related to the independence of the observer and the vessels operation, remain in place. This would be considered a force majeure situation where health risks can override the risk of consecutive trips.</p>
8.4	It is the responsibility of a national observer programme or service provider to administer observer placements, to maintain the independence and impartiality of observers as described in this measure and ensure that all placements are administratively finalised as soon as practicable after the observers return to port. The national observer programme or service provider is expected to communicate with the observer regarding upcoming deployments, coordinate observer travel, and provide the necessary supplies for observer duties.	Pass	<p>The APS Code of Conduct, APS Values and AFMA Conduct and Ethics Policy require APS employees (including all fisheries observers) to be impartial, committed to service, accountable, respectful and ethical as required by the SPRFMO minimum standard.</p> <p>Deployment details are maintained in an Excel spreadsheet (26). All critical data maintained relating to each deployment and easily filtered for vessels, fishery or observer. There is no wait list for observers, observers are identified from the available pool based on location, skill, availability. As employees and not self-employed consultants all observers not deployed are effectively on standby.</p> <p>Observers debriefed on return by programme staff.</p>

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#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
			<p>(38) states that observers should book their own travel and accommodation to and from deployments if approved by the Observer Manager or Observer Coordinator. Specific agents provided for this and use an online portal. Separate cost centres for deployment and administrative tasks (medicals, training etc)</p> <p>Equipment register supplied, showing allocation of equipment to each observer (29).</p>

9 Observer Safety Equipment

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
9.1	National observer programmes or service providers must demonstrate that observers are provided with appropriate equipment, including safety equipment, which is in good working order, routinely checked and renewed to carry out their duties on board a vessel. Essential equipment includes a lifejacket, independent two-way communication device capable of sending and receiving voice or text communications, personal locator beacons (PLBs), immersion suits, hard hat, proper deck working boots or shoes, gloves and protective glasses (including sunglasses)	Pass	<p>Lifejacket (not clear on list of issued equipment, but vessel safety checks ensure these are present in sufficient numbers on vessel and the observer knows their locations as well as life rafts, flares etc) though indicated that observers are required to purchase some items e.g., boots, clothing and lifejacket on official credit card.</p> <p>Independent two-way communication device capable of sending and receiving voice or text communications (InReach issued to each observer). (38 – Observer Gear and AFMA Property)</p> <p>Personal locator beacons (PLBs), EPIRD issued to observers. (38 – Observer Gear and AFMA Property)</p> <p>(38 – Observer Gear and AFMA Property) states that “Observers are supplied with or are required to acquire the necessary gear to carry out their duties”, therefore it is assumed for SPRFMO deployments this will include Immersion suits, hard hat, proper deck working boots or shoes, gloves and protective glasses (including sunglasses. These are either supplied or bought on credit card by observers and then registered on asset register. (38 – Observer Gear and AFMA Property)</p> <p>Equipment logged on asset register (29) with dates of issue / expiry dates.</p>

10 Responding to Allegations of Observer Misconduct

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
10.1	National observer programmes or service providers must establish procedures for preventing, investigating, and reporting on the misconduct of observers, in coordination with observers, vessel captains, and relevant Members and CNCPs	Pass	<p>AFMA's People, Capability and Engagement group provide services in the areas of assessing grievances and misconduct. Advice regarding handling misconduct is contained within the Australian Public Service Commission's <i>Handling Misconduct: a human resource manager's guide</i>. (Accreditation submission)</p> <p>Clear procedure for observers reporting suspected breaches of acceptable behaviour by another observer. This is through training and through training manuals (38 "Administrative and Procedural Manual for AFMA Observers 2020").</p> <p>Reporting on observers by vessel captains, and relevant Members and CNCPs would be considered a breach by the observer of AFMA Conduct and Ethics Policy (6 – sections 5, 6 and 7 and reported as described in section 22 using AFMA's Procedures for Reporting Breaches of the APS Code of Conduct² and investigated as outlined in section 23 through AFMA's Procedures for determining whether an employee has breached the APS Code of Conduct³) and the APS Values and Code of Conduct in Practice (7).</p>

² <https://www.afma.gov.au/sites/default/files/uploads/2014/04/Reporting-Breaches-of-the-Code-of-Conduct-2014.pdf>

³ <https://www.apsc.gov.au/procedures-determining-breaches-code-conduct-and-determining-sanction>

11 Dispute Settlement

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
11.1	National observer programmes or service providers shall demonstrate the existence of a dispute resolution process fair to all parties that provides a process to resolve issues through appropriate means including facilitation and mediation	Pass	<p>Observer / Programme based complaint:</p> <p>From an observer versus vessel dispute with vessel or internal to the programme situation then the <i>Public Interest Disclosure Act 2013</i>⁴ is the legal framework for under which any breaches of the APS Code of Conduct (6) has been breached. .</p> <p>Observers would be protected when reporting on a vessel, or within a programme. As the Public Interest Disclosure Act 2013 only allows current or former 'public officials to make a disclosure. i.e. observers or programme staff would be included as Australian Government public servants, it is not clear what would happen if a vessel owner, master or crew member wanted to initiate a dispute. Government wide programme so is setup for this purpose and should be regarded as being fair to all parties.</p> <p>Public / Industry complaint:</p> <p>Any members of the public (including vessel owner, master or crew member that would complain about any aspect of the programme) can refer through AFMA's Client Service Charter (see https://www.afma.gov.au/about/corporate-publications/afmas-client-service-charter/7) for advice on making a complaint. Complaints need to be submitted in writing. The Executive Secretary will conduct an investigation and the findings of that recommendation will be provided to the AFMA Executive for information / decision.</p>

⁴ https://www.ombudsman.gov.au/data/assets/pdf_file/0025/29509/ombudsman_pid_fact_sheeta.pdf

12 Observer Safety

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
12.1	National programmes or service providers must demonstrate that procedures are in place to support observers in their ability to carry out their duties unimpeded and in a safe working environment, including an established Emergency Action Plan (EAP). The EAP must provide instructions on sending reports to the provider's designated 24-hour point(s) of contact to report unsafe conditions, including instances of harassment, intimidation or assault.	Pass	<p>Observer Duty Officer available 24/7 plus regional officers also available in Canberra and Darwin.</p> <p>All safety equipment and procedures clearly laid out (10) with health questionnaires and vessel safety inductions included as well as rigorous safety assessment reports for vessels observers have been deployed on (21).</p> <p>All hazards and incidents must be logged and recorded in standardised formats (32), but an EAP where observers could be extracted from a vessel at sea is currently still in development (the latest draft of this EAP is provided as “Standard Operating Procedure x – Extraction” (52). Although in a simple format, this document provides a pathway for an observer to contact the duty officer by mobile phone or by independent sat comms and identify an issue or simply request extraction. It would appear that if implemented now this SOP would be able to facilitate the extraction of an observer when required and it is recommended that this be implemented by the start of 2021.</p>
12.2	National observer programmes or service providers must also provide a permanent delegate or supervisor on land to communicate with the observer at any time while at sea.	Pass	<p>Observer Duty Officer available via the “Observer Duty Phone (Mobile: 0427 496 446).</p> <p>It is stated that member of the office team will have this phone on them at all times and it can be contacted at any time. (30).</p>

13 Insurance and Liability

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
13.1	National observer programmes or service providers must demonstrate that observers have health, safety and liability insurance commensurate with the national standards of the observer programme or service provider for such insurance for the duration of any deployment before placing the observer on a vessel.	Pass	<p>AFMA Fisheries Observers are covered by Commonwealth Government national health and insurance schemes.</p> <p>AFMA as a non-Corporate Commonwealth entity are required to provide insurance or workers (i.e. in this case fisheries observers). As AFMA employees, fisheries observers are provided with personal accident and travel insurance, general and professional liability insurance as well as workers compensation and transit cover. (33 - PGPA Operational Guidance Corporate Governance Policy).</p> <p>Insurance is provided through the Commonwealth's insurance agencies and therefore a reputable source.</p>

Annex 1 Training requirements as outlined in Annex 3 of CMM 16-2019

1. The relationship between fisheries science and fisheries management and the importance of data collection in this context;
2. The relevant provisions of the Convention and SPRFMO CMMs relevant to the functions and duties of observers; CMM 16-2019 Annex 3 14
3. Importance of observer programmes, including understanding the duties, rights, authority and responsibilities of observers;
4. Safety at sea, including emergencies at sea, donning survival suits, use of safety equipment, use of radios, survival at sea, management of conflicts, and cold-water survival;
5. First aid training, appropriate to working at-sea or in remote situations;
6. Species identification and record of species encountered at sea, including target and non-target species, protected species, seabirds, marine mammals, sea turtles, invertebrates indicating vulnerable marine ecosystems, et cetera;
7. Knowledge of the different types and functioning of bycatch mitigation devices required by SPRFMO CMMs;
8. Safe handling protocols to rehabilitate and release seabirds, marine mammals and sea turtles;
9. Fishing vessel and fishing gear types relevant to SPRFMO;
10. Techniques and procedures for estimating catch and species composition;
11. Use and maintenance of sampling equipment including scales, callipers, et cetera;
12. Sampling methodologies at sea, i.e., fish sampling, fish sexing, measuring and weighing techniques, specimen collection and storage, and sampling methodologies;
13. Understand potential biases in sampling, how they arise and how they could be avoided;
14. Preservation of samples for analysis;
15. Data collection codes and data collection formats;
16. Familiarity with catch logbooks and recordkeeping requirements to aid observers' collection of data as required under SPRFMO CMMs;
17. Use of digital recorders or electronic notebooks;
18. Electronic equipment used for observer work and understanding their operation;
19. Use of electronic monitoring systems as a complement to their work, when applicable;
20. Verbal debriefing and report writing;
21. Training on relevant aspects of the International Convention for the Prevention of Pollution from Ships (MARPOL).